



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

RCH
F. #2019R00927

*271 Cadman Plaza East
Brooklyn, New York 11201*

January 20, 2021

By ECF

The Honorable Brian M. Cogan
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Ivan Reyes Arzate
Criminal Docket No. 20-030 (BMC)

Dear Judge Cogan:

The parties respectfully submit this written status update to the Court in the above-captioned matter. In light of the COVID-19 pandemic continuing to affect New York City, the parties respectfully request that the Court adjourn the upcoming status conference scheduled for January 27, 2021, for 60 days. The parties agree that an order of excludable delay is appropriate until the next status conference, based on the Court's previous complex case designation in this matter, the party's ongoing plea negotiations and Administrative Order No. 2020-26-2. The government has continued the process of collecting and reviewing discovery for production to the defendant on a rolling basis, and is currently preparing a voluminous production of intercepted electronic communications and other discovery materials for disclosure to the defendant in the coming days. The parties do, however, continue to face delays in preparing for trial in this case, in light of the pandemic, including limitations on defense counsel's ability to meet with the defendant and review the discovery materials, as well as the government's ability to continue collecting discovery materials for disclosure and meet with incarcerated witnesses.

An order of excludable delay will also permit the parties to continue engaging in plea negotiations, in an effort to resolve this case with a disposition short of trial.

Respectfully submitted,

SETH D. DUCHARME
Acting United States Attorney

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cc: Mark DeMarco, Esq.
Clerk of the Court (BMC) (by ECF)